

THE GEORGE WASHINGTON UNIVERSITY
Washington, D.C.

MINUTES OF THE REGULAR FACULTY SENATE MEETING
HELD ON OCTOBER 9, 2015
IN THE STATE ROOM

- Present:** President Knapp, Provost Lerman, Registrar Amundson, and Parliamentarian Charnovitz; Deans Feuer and Goldman, Executive Committee Chair Garris; Professors Barnhill, Brazinsky, Dickinson, Downes, Galston, Griesshammer, Harrington, Hawley, Hopkins, Katz, Khoury, Marotta-Walters, McAleavey, McDonnell, McHugh, Newcomer, Packer, Price, Pulcini, Rehman, Rimal, Roddis, Rohrbeck, Sarkar, Sidawy, Squires, Williams, Wilmarth, Wirtz, and Zeman.
- Absent:** Deans Akman, Dolling, Eskandarian, Jeffries, Livingstone, Morant, and Vinson; Professors Costello, Jacobson, McDonnell, Miller, Rice, Shesser, Sidawy, Swaine, Swiercz, Thompson, and Wald.

CALL TO ORDER:

The meeting was called to order at 2:10 p.m.

APPROVAL OF THE MINUTES

President Knapp asked for a motion to approve the minutes for the meeting held on May 8, 2015. He acknowledged that there was a delay in approving the minutes due to staff transition in the Faculty Senate Office. There were no objections to approving the minutes from the May 8, 2015 meeting, and he noted that the minutes were approved.

President Knapp acknowledged that transcript from the September 11, 2015 meeting is available, but still needs to be condensed into minutes due to ongoing issues with staff transition.

INTRODUCTION OF RESOLUTIONS

Professor Griesshammer introduced a resolution concerning changes to the *Faculty Code* that he considered uncontroversial. The intent of the resolution is to help the Board of Trustees and the Senate by reducing confusion amongst the faculty about what part of the *Faculty Code* is currently relevant.

President Knapp asked for, and received, a second to Professor Griesshammer's resolution. Per Section C of the Bylaws, resolutions that are seconded without objection are referred automatically to the Executive Committee. Thus, President Knapp announced that Professor Griesshammer's resolution would be referred to the Executive Committee.

RESOLUTION TO IMPROVE FACULTY BENEFITS (16/5)

President Knapp called on Professor Harrington to discuss Resolution 16/5: A Resolution to Improve Faculty Benefits.

Professor Harrington explained that the purpose of Resolution 16/7 is to improve faculty benefits. He explained that health care costs have increased substantially, and the university and Human Resources are working to develop solutions to aid faculty and staff.

Professor Harrington noted that the final report of the Benefits Task Force commissioned by President Knapp is due in December 2015. He then addressed how the university can respond best to an increase in health care costs. He explained that if nothing had been done to address the rising increase in health care costs, there would have been an 18% increase in the cost of health plans. He noted that, with suitable modifications and much work by Human Resources, it was possible for the university to reduce the health care cost increases to about 8% or 9%.

Professor Harrington explained that the Board of Trustees recently agreed to a 3% increase in overall benefits and salaries. He said that the 3% increase was typical, although it used to be 4% until the recession occurred. He explained that the 3% increase does not align with the 8% increase in health care costs. He noted that all employees of the university, not just faculty, carry the additional 5% - 6% increase.

Professor Harrington said that the Benefits Advisory Committee passed a motion in June to ask the university if they could absorb some of the benefits costs. He then said that the President's Task Force had come up with the idea of banding. (8/5) He explained that employees who made \$35,000 per year or less did not have to pay the full increase in health care costs. He explained that the banding idea was modified to expand from \$35,000 up to the first level established by the President's Task Force, \$120,000. He explained that employees who are at this revised first level, will only have a 3% increase in health costs.

Professor Harrington noted that because employees earning less than \$120,000 are paying a lower cost in benefits, there is a remaining cost balance that must be covered. He explained that any individual earning \$120,000 or more will experience a significant increase in their health care costs, instead of the additional five percent. He then said that the second band of employees earning \$180,000 and the third band of employees earning \$250,000 would also experience an increase in the costs of benefits which will aid the university in covering its expense gap.

Professor Harrington then turned to the ten "whereas" clauses. He discussed how the Fiscal Planning and Budgeting Committee and the Appointments, Salary, Promotion Policy (ASPP) were addressing concerns about the items in the whereas clauses. Professor Harrington also noted that a small task force of three members was formed to address some of the considerations involving benefits. He identified the members of that task force as Professor Anbinder (History), Professor Cordes (Economics), and Professor Marotta-Walters (Counseling), who is concurrently serving on the Executive Committee. Professor Harrington explained that these three individuals worked on various issues pertaining to employee benefits, and they produced a report that was issued to the Faculty Senate.

Professor Harrington then discussed how the whereas clauses led to the creation of a joint task force between the ASPP committee and the Fiscal Planning and Budgeting Committee. The purpose of the Joint Task Force (JTF) was to analyze data provided by the American Association of University Professors (AAUP). The JTF also presented data that highlighted overall spending on fringe benefits provided to the faculty at GW. The JTF noted that spending on fringe benefits was lower at GW than almost all of the market basket schools.

Professor Harrington explained that the market basket is a total market basket that the university has used for a number of years now. He also explained that the basket includes other universities that are similar to GW, i.e. private universities in similar environments to GW. He noted that Washington, D.C. is the third most expensive place to live in the country, therefore it made sense to compare GW to universities that are in similar environments to Washington, D.C. Professor Harrington discussed a comparison made between schools that were "outside of the market basket," and it was found that those schools that had lower endowment resources typically spent more on total benefits by faculty member than GW. Professor Harrington continued his discussion of the whereas clauses as follows:

- "Whereas, the President's Task Force on Benefits likewise found in May that GW's health benefits are non-competitive.
- Whereas the new AAUP Faculty Compensation Report released in September shows that GW's spending on benefits compared to other similar schools has not changed significantly.
- And whereas, the university decreased the merit pool, as I mentioned before, for salaries from four percent to three percent during the recessions, thereby adding to the employee's burden of increased health care costs.
- And whereas, the ASPP committee received the Joint Task Force report and requested in its interim report that the university administration respond to the recommendations of the Joint Task Force.

Now, Therefore, be it resolved by the Faculty Senate of the George Washington University that:

- 1) The administration increase spending on benefits for fiscal 2017, and succeeding years by more than three-percent to 'catch up' to the health benefits paid by other comparable universities and,
- 2) The administration not cut other benefits to pay for the increase in health costs, and
- 3) The administration not reduce the annual salary merit pool increase below the three percent."

Professor Harrington concluded his presentation, and then sought questions and comments from the crowd.

President Knapp thanked Professor Harrington for his presentation. He then stated that the ASPP Committee of the Senate, did not require a second, so the motion was open for discussion on floor.

Professor Hopkins commented that the presentation given by Professor Harrington aligned with the Benefits Task Force short-term report previously published. Professor Hopkins then stated that he was strongly in favor of the resolution.

President Knapp commented on the resulting actions created by the whereas clauses. He clarified that he was only referring to the whereas clauses, and not to the resulting actions created by the resolutions. He stated that the whereas clauses made assertions about the status of the university's benefits program, as compared to the benefits offered by other market basket schools. He also said that the university commissioned a study through Mercer, a consultant.

President Knapp stated that he asked Professor Rosenbaum her opinion on the methodology use by Mercer and the conclusions of their findings. He stated that Professor Rosenbaum strongly endorsed both the methodology and the conclusions. He also noted that it was brought to his attention that Professor Cordes made comments similar to Professor Rosenbaum, during the Faculty Senate meeting on September 11, 2015 meeting.

President Knapp then stated that there was a minor disparity in some of the facts asserted. He highlighted the importance of clarifying the facts to prevent potential confusion in the event that discussions were held with the Board of Trustees. President Knapp also noted that presenting unclear facts to the Board of Trustees could lead to a situation in which two conflicting messages were sent to the Board; one from the whereas clauses in the resolutions and the other from the administration. President Knapp believed that the whereas clauses and the resolutions were in conflict with one another. He then stated that he was unsure as to whether there were any solutions that could resolve this dilemma, however he simply wanted to highlight this conflict in order to make note of it.

President Knapp said that it would be odd to have a resolution from the Faculty Senate in which the whereas clauses attached to it advocated for an outcome with which the administration would disagree. President Knapp noted a surprising finding from Mercer. The consultant found that GW actually had a higher ranking than its peer schools in terms of benefit offerings. He said that Mercer was asked to complete a study of GW's comparative standing on health benefits, tuition benefits, and retirement benefits. President Knapp also noted that the university was surprisingly stronger than he had anticipated in several other the key areas pertaining to benefits offerings. He then invited Vice President Ellis to speak to some of the issues.

Vice President Ellis said that the report conducted on GW's benefits showed that GW ranked overall in the middle. She noted that the AAUP data was relevant and that the last time the AAUP Chronicle survey was reviewed in 2012-2013, GW was ranked at the bottom, however, the most recent data indicated that this was no longer the case. She then explained that based upon the proposed language in the faculty resolution that a notation be made correcting the statement that that GW spent less on benefits than almost all market basket schools, as stated in the fifth whereas clause. She also stated that the most recent data from the AAUP indicated that GW has seen progressive movement in its ranking when compared to other peer institutions.

Vice President Ellis also noted that the data in the AAUP report is different from the data in the Mercer Benchmarking Report. She explained that the AAUP Chronicle survey reflects the actual benefit spending, while the Mercer report compares plans. She explained that the methodologies used in the research involved plans that had the highest membership. She further clarified that the

plans with the highest subscriptions were the plans that were benchmarked. Vice President Ellis then deferred to John Welch, a Mercer representative, to give an account of how the university's health care plans compared to other universities.

President Knapp asked if there was any objection to John Welch speaking, and no objections were made. John Welch explained that the Mercer methodology compares different plans offered by the benchmark schools and highly-enrolled plans. He said that there was an effort to eliminate all the bias in costs from the data on the various schools, such as demographics and geography. He explained that the purpose in doing so was to ensure that the comparison to other market basket schools was an accurate and fair comparison.

Mr. Welch explained Mercer's methodology of eliminating the employee contribution element yields methodology as the fairest depiction of the import and value to the faculty and staff. He then explained that Mercer's methodology values the amount provided by each university on a comparable basis. He noted that benefits contributions made by employees were important because the university's decision on imposing costs will significantly influence the value of the plans.

Professor Newcomer introduced a new idea about the whereas clauses. She suggested combining whereas clauses six and seven, and then inserting a statement which says that the President's Taskforce on Benefits found in May 2015 that GW's health benefits were non-competitive and non-comparable. She then explained that taking this approach would allow for the findings to be attributed to the President's Task Force on Benefits, instead of leaving the attribution of the comments ambiguous.

Vice President Ellis then commented that she would defer to John Kosky, Associate Vice President for HR Talent Management and Co-Chair of the Benefits Task Force, to explain the content of the Mercer report. Vice President Kosky then explained that the Mercer report used eighteen schools while the Benefits Task Force used seven schools, including one public university. He stated that at the time in which the evaluation on the benefits plans were being conducted, there was some complexity about how the plans would be evaluated. Mr. Kosky also said that there were discussions about which aspects of the plan, such as premiums and deductibles, would be evaluated. He then explained that the decision was made to use actuarial values and to also look at plan value. He also stated that the Mercer methodology includes actuarial values.

Professor Newcomer explained that she understood the information that John Kosky was presenting because John Cordes had previously explained it to her. She further explained that she was trying to make it easier for President Knapp to distinguish the data in the Mercer report and the findings of the President's Benefits Task Force.

Professor Harrington encouraged Professor Newcomer to make a motion to amend the resolution. Professor Newcomer moved to amend the resolution by combining clauses six and seven that start with the President's Task Force on Benefits found in May. She also suggested removing the term "likewise". Professor Newcomer's motion was seconded. Professor Newcomer elaborated on the modifications that she wanted to make to the whereas clauses. She explained that the new sixth whereas clause should be listed as follows:

The President's Task Force on Benefits found in May that GW's health benefits are "non-competitive" and even comparable schools outside the market basket with lower endowments-per-student resources than GW typically spend more on total benefits per faculty member than GW.

President Knapp acknowledged the suggestions made by Professor Newcomer. He stated that there was still a strong disparity that had to be explained. He said that the methodology involved different comparisons. In one study seven schools were compared, and in another study eighteen schools were compared. President Knapp also explained that one school was included in the study, although it was not a school to which GW would typically compare itself. He also noted that one school that was typically compared to GW was included in the study. Professor Newcomer said that there was more information to what President had noted, and she stated that different formulas were used in the methodology.

Professor Griesshammer stated that the President's Task Force issued one report on benefits, and then another report was also commissioned by President Knapp on the same issue. Professor Griesshammer asked President Knapp why the administration chose to have an additional report conducted on benefits, in addition to the one conducted by the task force. Professor Griesshammer also wanted to know whether the original mission of the Presidential Task Force should be concluded and whether the time of task force members would be better spent on their research and teaching.

President Knapp explained that when he received the report, he observed that the task force used seven institutions. He then asked the task force to make a comparison with the actual market basket that the university uses for all market basket comparisons. He noted that the same measurement is used for a wide range of metrics used by the university. President Knapp explained that the universities selected for comparison are comparable to GW. He also suggested that the task force study the methodology. President Knapp stated that the two co-chairs endorsed his approach, and also endorsed his findings.

President Knapp then clarified again that he was seeking a finding based on all of the market basket institutions. He also reiterated again that he wanted to have a fair comparison of GW to other comparable universities. He noted again that he perceived there was an issue with comparisons originally made about other schools to GW. He believed that some of the prior comparisons made involved schools that were not comparable to GW. He then explained that he believed it was best to rely on the outcome of the report, since it was endorsed by two co-chairs on the task force that he appointed.

Professor Griesshammer asked President Knapp to discuss the future of the task force. He wanted to know whether the President could discuss report of the task force. He also inquired as to whether the President's Task Force would complete its long-term report, or be substituted by a corresponding report from the Mercer findings. President Knapp responded to Professor Griesshammer's questions by explaining that the task force was given two timeframes. The first timeframe was to have the recommendation ready for the 2015 benefits enrollment period. He also explained that this was a short-term set of recommendations that the task force took to the Benefits Advisory Committee. President Knapp then stated that the second phase is currently underway.

President Knapp commenced a new conversation on a motion for an amendment made by Professor Newcomer. He said that a decision had to be made first as to whether the amendment

passes, then discuss the resolution to see if it should be admitted or not admitted. The President then held a vote on Professor Newcomer's proposed amendment.

Professor Griesshammer began another discussion on market basket comparisons. He stated that he was aware of differences in the methodology of the market basket. He also commended the task force in being very meticulous in identifying a market basket that compares similar schools to GW. He pointed out that he sees a comparison with an academic market basket as largely moot. He explained that he was not so much concerned about his premium hikes, but more concerned with the quality of benefits received by administrative assistants, secretaries, and staff at the university. Their market basket is comparable employers in the DC region: the government, private companies, the University of Maryland, etc. Compared to that basket, GW was doing very poorly. Professor Griesshammer used an illustration to demonstrate that the university's lack of generous benefits was making it difficult to hire qualified personnel within the Physics Department. He explained that one of the best personnel recruiting and retention strategies was highlighting GW's generous tuition reimbursement. He further noted that the previous policy of encouraging substantial tuition reimbursement, was a pivotal tool in gaining qualified personnel to accept employment with the Physics Department. He also noted that it was unfortunate that the generous tuition discount had been reduced, even without grandfathering.

Professor Griesshammer expressed additional concern that administrative assistants from various departments will have to carry a greater burden of a heavier workload that has been shifted from upper levels of the administration. He explained that increasing the workload for administrative assistants would be done without increasing the workforce adequately.

President Knapp then inquired into whether Professor Griesshammer wanted to suggest a different resolution. Professor Griesshammer stated that he completely agreed with the resolution. He only wanted to note that the discussion on the market basket was largely inapplicable to the people he was most concerned about.

Professor Hopkins stated that during the Faculty Senate meeting on September 11, 2015, he conducted a presentation on the Benefits Task Force's Short-Term Report. He noted that during his presentation Professor Newcomer asked about discrepancies in the findings of the Benefits Task Force Short-Term Report and the most recent Mercer Report with regard to the relevant rankings.

Professor Hopkins then said that he and Professor Cordes had met with the Mercer representatives and discussed their report with them. During those discussions with the Mercer representatives, he realized that the main issue was really about the methodology. He explained that one of the facts that may help to clarify the discrepancy is the fact that the Benefits Task Force used actuarial data values, which is what is legally mandated by the Affordable Healthcare Act. He then explained that, had they used the actuarial values in the Mercer report, GW would have ranked low, but not absolutely last in comparison to its market schools. Professor Hopkins then noted that this information may be helpful for President Knapp to know when he is presenting his findings to the Board of Trustees.

Professor Packer inquired into the Mercer report. He wanted to know for clarification purposes if the Mercer report was actually comparing plans and the types of benefits that employees may receive in comparing those plans, whereas the other report indicated actual dollars that were spent.

Vice President Ellis inquired into whether she could add some context and clarification to the discussion. She said that when she arrived at GW four years ago, she was commissioned with the task of studying how to make modifications to benefits plans, and President Knapp asked that she be broad and inclusive when speaking with faculty members and receiving their input on employee benefits. Vice President Ellis explained that she started pulling plan designs from various schools, and studying the plans. She explained that after pulling the data on benefits, she received benchmarking data and presented it to the Senate. She also explained that members of the faculty did some of the benchmarking as well.

Vice President Ellis then explained that the Joint Task Force Report was done a year-and-a-half ago and she believed that she looked at a set of schools, and then later found that GW was not including the market basket schools. She then explained that there was not a clear basket of schools in which GW could be compared to each year. Vice President Ellis further explained that if the same methodology were chosen again, GW may be ranked very highly or its rankings may be very low. Vice President Ellis then explained that President Knapp was correct in trying to select a uniform approach to selecting the list of market basket schools for comparisons, in order to prevent fluctuations in the rankings from year to year. She further explained that this approach was good because it allowed for consistency in the selection of schools.

Professor Newcomer concurred with Professor Griesshammer in noting that staff was not concerned about the ranking of GW in comparison to other universities, but rather the staff would be more concerned about benefit deductions from their paychecks, and the amount of reductions that they are receiving for tuition benefits. Professor Newcomer also noted that there is a Staff Union and a Faculty Union.

President Knapp noted that he appreciated the sentiments that were made concerning the care of the staff. However, the purpose of the resolution was to improve faculty benefits. He stated that the resolution does not wholly pertain to staff benefits, and he wanted to clarify that he was not saying that the resolution should not pertain to staff benefits. President Knapp further clarified that he was focused on the whereas clauses. President Knapp also indicated that the market basket comparisons were not the only items to focus on. He explained that the whereas clauses of the resolution primarily focus on faculty benefits, and he made the reference to the market basket schools in order to make comparisons on faculty salary, tuition comparisons, and other types of benefits.

President Knapp further explained that his reason in providing this information was to clarify the reason that there was a focus on market baskets. He noted that there were many pressing issues and concerns. He stated that another concern is the growing costs of health care, and that many comparable institutions are also facing similar challenges as GW due to rising health care costs. President Knapp also said that the increases in health care costs led to the Benefits Advisory Committee to change its tuition benefits for staff. He further explained that the rising costs in health care were driving issues pertaining to the resolutions. President Knapp reiterated again that there are many additional items to be considered besides the basket comparisons. President Knapp explained that the banding proposal was adopted through the Benefits Advisory Committee and it was not based on benchmarking, but rather on internal equity.

Professor Brazinsky suggested that the Faculty Senate could ask the Board of Trustees to increase spending on faculty benefits. He noted that the Faculty Senate raised the standards for the tenure and promotion in the *Faculty Code*, and this fact could aid them in approaching the Board with this

suggestion. He then explained that an argument could be made to the Board to increase spending on benefits and compensation, since the faculty was being asked to take on a heavier workload.

President Knapp noted that another forum might be better suited to debate the advantages of seeking an increase in benefits funding from the Board of Trustees. He stated that the school has always held its faculty to a standard of excellence. He expressed concern that emphasizing excellence over competence would send the wrong message to the Board.

Professor Packer noted that his previous comment seemed to have generated responses about the market baskets. However, he wanted to clarify that that was not his intention in raising his comment. Rather, he wished to note that it seemed illogical to compare inherently different plans and potential expenditures on the benefits plans, to actual dollars spent. He stated that actual dollars spent had a significant meaning as opposed to what might potentially be spent under plans. President Knapp stated that it may be better for those who worked on the benefits to discuss why it is best to compare plans as opposed to actual dollars spent on benefits. He called again John Welch.

John Welch explained that the goal is to normalize the figures. He used a hypothetical involving the cost of benefits claims. He explained that the first time that a university is placed in a market basket, they generally have a bad claim experience. He then explained that there was then the potential that they may have a good experience. These fluctuations in value caused volatility, and thus, in an effort to eliminate the volatility of claims unique to a specific university, it was helpful to look at a normalized population. Professor Packer stated that he understood the methodology.

Professor Wilmarth then addressed the portion of the resolution that requested the Board of Trustees to increase the University's contribution to faculty benefits in future years above the three percent level of recent increases. He expressed his great concern about the potential impact of the very large premium increases that were imposed on faculty and staff with salaries in the upper three salary bands established by the University this year. He strongly supported the resolution asking the Board to increase the University's contribution to benefits, because he believed that a continuation of large premium increases for higher-paid faculty and staff would have a very negative long-term impact on the University's ability to attract and retain high-performing faculty and staff.

After Professor Wilmarth's remarks, Professor Griesshammer proposed an amendment. He noted that benefits are an issue for both staff and faculty. Therefore, he proposed an amendment that would strike the word "faculty" out of the title and also out of the first whereas clause, making it a resolution about benefits in general. He then stated that the rest of the resolution would stand as is because the three percent increase is necessary to bring both faculty and staff benefits in line. Professor Griesshammer's amendment was seconded.

President Knapp noted that there would be a discussion on the amendment proposed by Professor Griesshammer. He clarified that the amendment would strike the word "faculty" from the title and from the first whereas clause. He then opened the floor for discussion on Professor Griesshammer's proposed amendment. Then a vote would be taken on the proposed amendment. Hearing none, President Knapp called for a vote on Professor Griesshammer's proposed resolution. The resolution was passed.

A RESOLUTION ON RECOMMENDED CHANGES TO THE FACULTY ORGANIZATION PLAN REGARDING FACULTY PARTICIPATION IN THE FACULTY SENATE (FA 16/1).

President Knapp explained that item six on the agenda is partially misleading since it appears as though it is a resolution that is being adopted; however, this is not the case. President Knapp explained that Resolution 16/1 was passed last spring, and that he believed Professor Wilmarth made a report on this.

Professor Wilmarth explained that he would only give a brief report on Faculty Assembly Resolution 16/1 since the substance of this resolution was approved during a prior meeting of the Senate. He stated that the textual amendments to the *Faculty Organization Plan*, which are listed on page five of the agenda, are exactly the same as what the Senate approved at its meeting in September. He also stated that those textual amendments will not change unless they are modified by the Faculty Assembly at its meeting on November 10th. He explained that those amendments will proceed to the Faculty Assembly, who will then decide whether to adopt the amendments or not. He believed it was important for the Senate to see the resolution in its current form, although it may need to be modified based on the actions that the Board of Trustees might take at its upcoming meeting. He also noted that if anyone had any concerns about the content of the resolution, they should contact either him or Professor Garris.

RESPONSE OF THE ADMINISTRATION TO SENATE RESOLUTIONS

Provost Lerman stated there was a handout given about the administration's response to the Senate Resolution. He stated that the information contained within the handout was self-evident. (Note: see attached handout.)

Professor Griesshammer inquired into which *Faculty Code* the Faculty Senate was operating under at present. He stated that the Website indicates that the 2004 version of the *Faculty Code* is still being employed. He said that knowing the answer to this question was important for legal reasons. He explained that if there was a change in the way promotions and tenures were administered, then legal issues could arise if an individual were not permitted to receive tenure under the new rules, if that rule-change is not communicated to the faculty as a whole.

Provost Lerman noted the text of the *Faculty Code* was currently being revised, and the revision included the Board's changes, as well as other revisions. He said that the final version of the *Faculty Code* was close to completion, and once it is complete it will be added to the Website. Provost Lerman also said that he will ask Dianne Martin to ensure the updates are made.

Vice Provost Martin commented on current revisions being made to the *Faculty Code*. She noted that efforts to revise the *Code* are done with great sensitivity, and explained that one of the changes that occurred was changing the spelling of the term university, from spelling it with a capital "U" to a lowercase "u". Vice Provost Martin also noted that prior changes made to the *Code* can also affect the numbering within the *Code* since new clauses are added and the old *Code* might refer to a clause that is either nonexistent or is no longer the right clause. She also said that the numbering of the clauses must be corrected. There would be no substantive changes made to the code, only technical changes to harmonize the revisions with the existing Code.

Professor Squires inquired as to whether the Board of Trustees has the authority to unilaterally amend the *Faculty Code* without any input from the Senate or the Faculty at all. President Knapp noted that Professor Squires's comment was correct, that the Board of Trustees does have the ability to unilaterally amend the *Faculty Code* without any input from the Senate or the faculty. However, he noted that the Board is very interested in consulting with the faculty extensively. President Knapp noted that the Faculty Assembly meeting was postponed in order to have an opportunity for additional "back and forth" discussions on the participation resolution that came to the Board. He also noted that this was previously adopted by the Senate.

GENERAL BUSINESS

I. NOMINATIONS FOR ELECTION OF FACULTY MEMBERS TO SENATE STANDING COMMITTEES:

Professor Garris noted that there are three nominations for the election of faculty members to the Senate Standing Committees. He noted that the three nominations are as follows:

- Gregg Brazinsky, to be appointed chair for the Athletics and Recreation Committee
- Arthur Wilmarth, to be appointed chair of the Professional Ethics and Academic Freedom Committee
- Theodore Barnhill, to be appointed as a member of the Professional Ethics and Academic Freedom Committee

There were no objections to these nominations, and the nominations were approved.

II. REPORTS OF THE STANDING COMMITTEES

Professor Garris inquired as to whether there were any reports of the standing committees. Professor Newcomer stated that she was the Chair of the Faculty Senate Committee on the University and Urban Affairs, and that her group was having its third annual homeless event entitled, the Homeless Bill of Rights on November 16, 2015. She stated that the Homeless Bill of Rights was free and all members of the university were invited to attend the event.

Professor Price explained that there was a change to the *University Bulletin* in August 2015, in which with regards to double-counting of credits towards a second major or minor. The new policy states that if a student chose to have a double major, then at least twelve credits have to be unique to that major and not double counted for another major. If the student did not have twelve unique credits, then the student would not receive the second major. Similarly, if a student pursued a minor, then six unique credits towards the minor could not be counted toward another degree. Professor Price stated that this policy was implemented without the consultation of the Senate Education Policy Committee nor any other member of the Senate. She explained that this change in the double-counting policy could make it difficult for some students to pursue a second major or minor. She noted that this made it particularly challenging for students in the Elliott School and the Columbian College of Arts and Sciences, especially from the social sciences, thus limiting the number of students who could pursue a double major across schools.

Professor Price sought information on what underlying issue led to the creation of the new requirement. She also inquired into why the solution was rushed without any consultation from the Educational Policy Committee. Professor Price commented that the issuing of this policy ran counter to the goal of interdisciplinarity which is the cornerstone of the strategic plan. Professor Price also noted that there was no easy way to discern double-counting in DegreeMAP (a software system), and this could pose a serious issue to a student who learns at the time of the graduation that because of the double counting rule he or she would be ineligible to graduate with the second major because of not having 12 unique credits that are not counted toward any other major.

Professor Price recommended looking into the issue over the coming year, and seeing what effect it has on departments and on students. She again inquired as to why the credit requirement was expedited. Forrest Maltzman said that this was one of the many changes that occurred when the undergraduate deans from across the campus worked together to revise the *Faculty Code*. He noted that this was one of issues that needed to be addressed and was already on their "to do" list.

III. REPORT OF THE EXECUTIVE COMMITTEE: CHARLES A. GARRIS JR., CHAIR

See attached report.

IV. PROVOST'S REMARKS

Provost Lerman stated that although it was very early in the Fiscal Year 2016, the formation of the Fiscal Year 2017 budget was already underway. Provost Lerman said that there was a clear benefit to having developed a five-year budgeting process. He explained that there were challenges during the first year in which this multi-year budget planning process was implemented. He then said that the benefits of having the five-year budgeting planning process was evident in that there were already base level enrollment forecasts for each of the schools; schools can of course modify these planning assumptions as they think appropriate, but they do not have to start from scratch each year. He also mentioned that enrollment forecasts have been beneficial in assisting the university with planning its budget for the coming fiscal year.

Provost Lerman said Fiscal Year 2017's forecast will be used to create a budget for review and approval by the Board of Trustees, and another year will be added to the five-year rolling horizon of the five year forecast. Provost Lerman also noted that on October 9, 2015, the fifth annual teaching day was held in the Teaching and Learning Center. The event was organized by Vice Provost Dianne Martin's office. The event had approximately 200 attendees. The keynote speaker for the event was Elizabeth Barkley, an award-winning college professor. She gave a presentation encouraging students to use a variety of techniques to engage in group work in the classroom and online. She also provided ideas on teaching methodologies for professors. Provost Lerman thanked the professors who attended the event although they were not required too.

Provost Lerman stated that once the updates to the *Faculty Code* are complete, the Deans will be given the opportunity compare their respective school's rules with the *Code* and determine what areas will have to be changed for their school's rules to be consistent with the revised *Code*.

BRIEF STATEMENTS

President Knapp acknowledged Professor Vanessa Perry from the School of Business as a new member of the Faculty Senate. He also noted that Professor Perry has taken on an administrative role as an interim successor to Dr. Terri Reed, who left the university to become the University Secretary at Spelman College.

President Knapp noted that a new search will be commenced to fill Dr. Reed's former role as the Vice Provost for Diversity and Inclusion. He also noted that Professor Barnhill returned to serve within the Senate, in place of Vanessa Perry who is interim.

President Knapp said that Ambassador Reuben Brigety, was the new Dean of the Elliot School of International Affairs. He commenced his position on October 1, 2105.

President Knapp then noted that university was currently at its threshold of \$807 million dollars, while trying to meet the established goal of \$1 billion dollars by June 2018.

President Knapp noted that Alumni Weekend was an immense success. During the event, several campus groups held reunions such as the Black Alumni Association, the LGBT Alumni Association, and the Hispanic Alumni Association.

President Knapp noted that the Rodham Institute is organizing student volunteers to assist with health care outreach in Ward 8 of the District of Columbia. He noted that the ward is home to one of the most economically challenged regions in the area.

President Knapp noted that Professor Mary Ellsberg and her institute created a curriculum based on the story of Malala Yousafzai. He also noted that Professor Ellsberg is very active with the United Nations, and is currently acting in partnership with the Whitehouse.

President Knapp noted that the university works closely with the District of Columbia Metropolitan Police Department, the Capitol Police, the Park Police, and the Secret Service to prepare for "active-shooter" drills. He commended RaShall Brackney, Police Chief of the George Washington University Police Force.

President Knapp stated that he met with the Deans and Vice Presidents to discuss solutions on how to facilitate the processing of requests around the university. He noted that discussions centered around research, the administration, IT, and other areas.

President Knapp invited the Faculty Senate to attend a ceremony in honor of Linda Sue Campbell at the Alumni House. He noted that Linda Sue Campbell served the university for nearly twenty-one years before her passing.

Professor Wirtz inquired into how the Provost's Office and the administrative structure of GW would be affected with the recent announcement of the departure of Provost Lerman. Professor Wirtz wanted to know if discussions would be held on realigning the reporting of information between the Provost's Office and the faculty. Professor Wirtz noted his understanding that these subjects were being deliberated within Rice Hall, and he wanted to know about the extent to which

there may be a major change in the administrative structure of the university. He also inquired into whether Provost Lerman's resignation would mark an end to high-level administrative shifts.

President Knapp addressed Professor Wirtz's comments about high-level administrative shifts. He asked for clarification purposes what specific shifts Professor Wirtz was inquiring about. Professor Wirtz noted that he was inquiring about shifts at the Vice Provost level or above. President Knapp explained that there was a Strategic Plan in place that the university was currently continuing to implement. He also said that Provost Lerman noted that he was working to meet the Strategic Plan, and Interim Provost Maltzman (who will start in January 2016) has also been intimately involved in that process. President Knapp said that Interim Vice Provost Maltzman previously worked on the university's ten year accreditation process. He then said that he did not anticipate any discontinuity occurring. President Knapp explained that many faculty often leave the university after years of service, and their departure does not affect the processes used within the university.

Professor Williams posed a question on behalf of the faculty at the Hampton Roads campus. He explained that many of those faculty members would like to attend the Faculty Assembly meetings. However, due to their work locations, they are unable too. He wanted to know whether it would be possible for the Faculty Assembly to be presented over live-streaming. President Knapp thanked Professor Williams for his questions, and stated that he would look into it.

Parliamentarian Steve Charnovitz inquired into whether remote voting was an option. President Knapp stated that it was not permitted. He explained that when the *Faculty Organization Plan* was written, the technological capabilities for remote voting did not exist. He also noted that the *Faculty Organization Plan* has not been modified for years, and making revisions to it involved cumbersome procedures.

Professor McAleavey asked if there was a projected date for the Faculty Assembly meeting. Vice Provost Martin indicated that the meeting would be held on November 10, 2015 from 2:00 p.m. to 4:00 p.m.

Professor Barnhill noted that there were some tensions within the university. He commented that part of the tensions were due to self-imposed structural problems. He noted that some of the University budgetary structures where an impediment to schools reaching their academic potential. He also questioned including non-tenured faculty as voting members of the Senate.

President Knapp noted that Professor Barnhill raised good points. President Knapp noted that the university has been steadily adding to the tenured faculty and tenured-track faculty at the university. He explained that since he has arrived at the university, the number has grown to well over 100 new positions. He explained that part-time positions were not adversely affected in order to increase the number of the full-time positions. He also noted that the university experienced its highest enrollment this year of 26,000 students. This number has grown from 25,000 students when the President first arrived at the university.

President Knapp then explained that there was a restructuring of the budget model under Provost Lerman's leadership. He stated that the restructuring took place last year, and gave more financial control to the Deans. He also explained that the Deans now retain almost all of the revenue from their graduate programs and their off-campus programs. Lastly, he noted that online programs had high percentages that contributed to high revenues. He specifically noted that there was an 85%

revenue gained for online courses. The revenues from online courses also helped to create an incentive for Deans to create programs that will help fund their aspirations for their respective schools. President Knapp noted that the new budget model for the university was driven by a plan that involved decentralization. He concluded the meeting by discussing how the university was able to raise salaries while most universities around the country restricted salaries.

ADJOURNMENT

The meeting was adjourned at 4:04 p.m.

RESOLUTION TO IMPROVE FACULTY BENEFITS

WHEREAS, concern has been expressed by the Faculty of The George Washington University that faculty benefits have eroded with respect to those provided by the Market Basket Schools as well as non-Market Basket schools in the Northeastern United States, and

WHEREAS, this concern was relayed to both the Appointments, Salaries, and Promotion Policies Committee (Including Benefits) (ASPP) and the Fiscal Planning & Budgeting Committee (FP& B) of the Faculty Senate, and

WHEREAS, the two committees agreed to commission a Joint Task Force (JTF) to investigate the available data regarding the accuracy of this concern, and to report back its findings to their respective committees, and

WHEREAS, the JTF analyzed data provided by the AAUP relating to aforesaid total benefits spending and made its process completely transparent, and

WHEREAS, the JTF reported that the data indicate that overall spending on fringe benefits provided to GW Faculty is lower than almost all of the market basket schools at almost all Faculty ranks in dollar terms, and

WHEREAS, even comparable schools outside the market basket with lower endowments-per-student resources than GW typically spend more on total benefits per faculty member than GW, and

WHEREAS, the President's Task Force on Benefits likewise found in May that GW's health benefits are "non-competitive", and

WHEREAS, the new AAUP faculty compensation report released in September shows that GW's spending on benefits compared to other similar schools has not changed significantly, and

WHEREAS, the University decreased the merit pool for salaries from 4% to 3% during the recession, thereby adding to the employees' burden of increasing health care costs, and

WHEREAS, the ASPP committee received the JTF report and requested in its interim report that the University Administration respond to the recommendations of the JTF,

NOW, THEREFORE, BE IT RESOLVED BY THE FACULTY SENATE OF THE GEORGE WASHINGTON UNIVERSITY THAT:

The administration increase spending on benefits for fiscal 2017 and succeeding years by more than 3% to “catch up” to the health benefits paid by other comparable universities, and

The administration not cut other benefits to pay for an increase in health benefits.

The administration not reduce the annual salary merit pool increase below 3%.

REPORT OF THE EXECUTIVE COMMITTEE

Charles A. Garris, Chair

October 9, 2015

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Faculty Governance:

On June 18, the Board of Trustees passed a resolution which directed President Knapp to introduce a resolution to the Faculty Assembly expanding membership in the Faculty Senate to include all full-time faculty including Specialized Faculty. On September 11, the Faculty Senate passed by a large margin Resolution 16/4 which explicitly rejected the amendments to the Faculty Organization Plan offered in the Board's resolution and directed the Executive Committee to put forward a resolution on membership in the Faculty Senate at the upcoming Faculty Assembly meeting. As discussed by Professor Wilmarth, the Executive Committee is prepared to introduce that resolution at the upcoming Faculty Assembly. However, rather than presenting two conflicting resolutions to the faculty at the Faculty Assembly, which would involve complex parliamentary procedures and an appearance of confrontation, the President was asked to delay calling the Faculty Assembly meeting, originally scheduled for October 6, to a date after the Board of Trustees meets. The Board will meet on October 15 & 16. After discussions with Chair Carbonell, on October 2, I teleconferenced with the Executive Committee of the Board and explained why I thought it would be wise for the Board to withdraw its resolution and allow Senate Resolution 16/4 to move forward alone at the Faculty Assembly. We had a good exchange. The Board Executive Committee then decided to defer the issue to the Board's Academic Affairs Committee which meets on October 15. I will provide a presentation, again arguing that the Board should withdraw its resolution in favor of Senate Resolution 16/4. If the Board agrees with this process, ONLY Senate Resolution 16/4 will be up for a vote at the Faculty Assembly. If the Board does not agree to withdrawing its resolution, there will be two conflicting resolutions offered in a manner under parliamentary procedure yet to be determined. The agenda for the upcoming Faculty Assembly will clarify all of this and will include the actual resolution(s).

This Faculty Assembly is likely to be a very important meeting which will have a large impact on the future of shared governance at GW. Please remind your colleagues that that all faculty should attend as all of their voices are needed. All full-time academic faculty with titles of professor, associate professor, assistant professor, or instructor can vote. This includes contract faculty, research faculty, clinical faculty, teaching faculty, as well as tenured and tenure-track faculty. It is very important that we obtain a strong faculty turnout for this Faculty Assembly.

On May 8, the Faculty Senate approved Resolutions 16/1, 16/2, and 16/3 which recommended certain amendments to the Faculty Code. As described in my last report, on June 18, the Board of Trustees passed a resolution amending the Faculty Code which included significant parts of the Senate resolutions, but left three areas open for further deliberation and study. These three areas were the rule that 75% of the regular faculty must be tenured in a school; that 50% must be tenured in a department; and the general structure and operation of a University-Wide Personnel Committee which might replace the Executive Committee as a faculty body reviewing nonconcurrences. The Executive

Committee discussed these issues with the Board's Academic Affairs which expressed some concerns. PEAf has been working on some new proposals which would accommodate the concerns of the Board while improving the shared governance system. While originally the Board had desired to complete these studies by October, it has been agreed to continue a collaborative effort between the Board and Senate committees to resolve these concerns. It is hoped that at a future Senate meeting, appropriate resolutions will be forthcoming. Additional changes to the Faculty Code may be proposed at the Board's May meeting.

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ANY OTHER MATTERS

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In the meantime, we have continued to enjoy the marvelous support of Jennifer Siecks and Cassandra Wiseman who have been on load from the Provost's Office. I once again thank Provost Lerman and Vice Provost Dianne Martin for providing this excellent support.

An updated list of the Senate Standing Committee membership is posted to the Senate website. Kindly advise me of any omissions or errors and if you would like to nominate new members to the standing committees.

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The Assembly version Faculty Senate resolution 16/4 will be on the agenda for vote. As discussed in the September 11 Senate meeting, this resolution expands membership in the Faculty Senate to full-time regular faculty with certain provisos. In addition, a different Board of Trustees resolution on the same subject may or may not appear. The possible Board resolution would expand membership in the Faculty Senate to all full-time contract faculty including Specialized Faculty with very few provisos. Whether or not this Board resolution is introduced depends on what the Board decides at their meeting on October 16. A NO vote on any of these resolutions means continuing with only tenured faculty being eligible for membership in the Faculty Senate. This Faculty Assembly is likely to be a very important meeting which will have a large impact on the future of shared governance at GW. Please remind your colleagues that this will be a historic Faculty Assembly meeting that all faculty should attend as their voices, as expressed by their votes, will have a strong impact on the future of shared governance at GW. All full-time academic faculty with titles of professor, associate professor, assistant professor, or instructor can vote. This includes contract faculty, research faculty, clinical faculty, teaching faculty, as well as tenured and tenure-track faculty.

The next meeting of the Executive Committee is scheduled for Friday, October 23rd. Resolutions, reports and any other items of business for the November 13th Senate agenda should be received by the Senate Office before October 23th.

Immediately following this Senate meeting, a Memorial Reception in honor of Sue Campbell will be hosted by Provost Steve and Lori Lerman at The Alumnae House, 4535 W Street NW. Shuttle buses will leave from the front of this building immediately following the Senate meeting, and will return to the Foggy Bottom Campus at 6:00 PM. This will be a wonderful opportunity for us to share memories of Sue who contributed so much to the Faculty Senate during the 20+ years she served us. I hope you can join us.

Thank You.

A Resolution Regarding Uncontroversial Changes to the *Faculty Code*

WHEREAS, the ongoing process to revise the Faculty Code and Faculty Organisation Plan of the George Washington University is a collaborative effort between stakeholders whom the Chairman of the Board of Trustees called “the leaders of the institution: the President, the Faculty Senate, members of the Board of Trustees” (minutes of the Senate meeting April 10, 2015);

WHEREAS, the Faculty Code of the George Washington University describes principles of shared governance which are essential to a thriving academic institution, codifies the rights and obligations of individual faculty and of the collective faculty body, and includes privileges and obligations which are recognised as contractually binding by the courts of the District of Columbia (*Kyriakopoulos v. George Washington University*, 866 F.2d 438 (D.C. Cir. 1989); *Saha v. George Washington University*, 577 F. Supp. 2d 439 (D.D.C. 2008); *Brown v. George Washington University*, 802 A.2d 382 (D.C. App. 2001); *Kakaes v. George Washington University*, 663 A.2d 128 (D.C. App. 1996));

WHEREAS, the Faculty Senate shares the Board of Trustees' express opinion that amendments to the Faculty Code should be based on a broad consensus between the participants;

WHEREAS, the Faculty Senate, as the highest democratically elected representative body of the faculty of the George Washington University and after extensive deliberations and consultations, submitted resolutions 16/1, 16/2 and 16/3 on amendments to the Faculty Code to the Board of Trustees for approval;

WHEREAS, the Board of Trustees approved amendments to the Faculty Code on June 18, 2015, which are not identical to the recommendations of the Faculty Senate;

WHEREAS, the Faculty Senate wishes to forestall any confusion which may arise from this discrepancy;

WHEREAS, the Faculty Senate recognises that some amendments by the Board of Trustees are well-aligned with the sentiment of Faculty Senate Resolutions 16/1, 16/2 and 16/3, and that others propose reasonable modifications, so that there is wide agreement on many issues between the Board of Trustees and the Faculty Senate;

WHEREAS, the Faculty Senate recognises that some issues warrant further discussion between the representatives of the Faculty Senate and the Board of Trustees;

WHEREAS, the Faculty Senate recognises the need to clarify the areas of agreement in the resolutions passed by the Board of Trustees and the Faculty Senate;

NOW, THEREFORE, BE IT RESOLVED BY THE FACULTY SENATE OF THE GEORGE WASHINGTON UNIVERSITY

1. That the Faculty Senate endorses replacing the following areas of the Faculty Code by the changes detailed in the Board of Trustees resolutions of June 18, 2015, identified as follows:

- in Section "C. Appointment and Review of Academic Administrators" of the *"Procedures of the Implementation of the Faculty Code"*:
 - all of Section "C.2.b Deans",
 - all of Section "C.2.c Associate Deans, Assistant Deans, and Similar Academic Administrative Officers",
 - all of Section "C.2.d College of Professional Studies",
 - and all of Section "C.2.e No-Confidence";
- in Section "I. School Faculty Composition and Governance" of the *Faculty Code*:
 - all of Section "A. Retired Status",
 - all of Section "D. Visiting Faculty",
 - all of Section "E. Part Time Faculty",
 - and all of Section "F. Secondary and Courtesy Appointments";
- all of Section "A. Governance of Departments and Schools" of the *"Procedures of the Implementation of the Faculty Code"*;
- all of Section "IV.B Promotion" of the *Faculty Code*;
- all of Section "IV.C Tenure" of the *Faculty Code*;
- all of Section "IV.D School-Wide Personnel Committees" of the *Faculty Code*;
- all of a new Section "IV.E Review Process" of the *Faculty Code*;
- all of a new Section "IV.F Nondiscrimination" of the *Faculty Code*;
- all of Section "B. Faculty Participation in Action Concerning Faculty Membership" of the *"Procedures of the Implementation of the Faculty Code"*

2. That the President is requested to submit this resolution to the Board of Trustees for final consideration and approval.

3. That the Faculty Senate respectfully requests that the Board of Trustees continue ongoing discussions to resolve the few remaining discrepancies between Senate Resolutions 16/2, 16/2 and 16/3 and Board of Trustees Proposals, and provide the Faculty Senate an opportunity to endorse a shared consensus on such changes prior to approval by the Board of Trustees, in keeping with the University's longstanding tradition of collaborative shared governance.

Harald W. Griesshammer

8 October 2015

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